

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
SEP - 1 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

Milton O. Crawford  
P.O. Box 9263  
Pahrump, NV 89060  
(775) 537-3949

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MILTON O. CRAWFORD,

**2:20-cv-01622-JAD-BNW**

Plaintiff,

Vs.

Claim For Relief

The Kroger Company et al

**WITH DEMAND FOR TRIAL BY JURY**

Defendants

I, Milton O. Crawford (the Plaintiff) a 58 year old male, a resident of Pahrump, Nevada; Nye County, filed its Amended Complaint; 2:12-CV-00122 against the Kroger Company the proper defendant, Parent Company and required joinder party having an interest on Monday April 09, 2012,

Sufficient Service of Process of the Summons and Amended Complaint was had by the Kroger Company through the United States Marshals; Server: Kimberly James on Monday August 6, 2012, Exhibit [A] U.S. Marshals; fax Cover Sheet with comment from the Server; Kimberly James acknowledging service of process executed to the Kroger Company on 8/6/12, Exhibit [B] a faxed copy of the USM-285 validating service of process executed on 8/6/12, both, exhibits [A] and [B] was submitted to the Court on Wednesday September 19, 2012 at 1:16pm

Exhibits are validated by the docket and the Court's filing stamp

The Kroger Company's deadline date to serve a Responsive Plea or its Motion Rule 12 was due no later than Monday August 27, 2012,

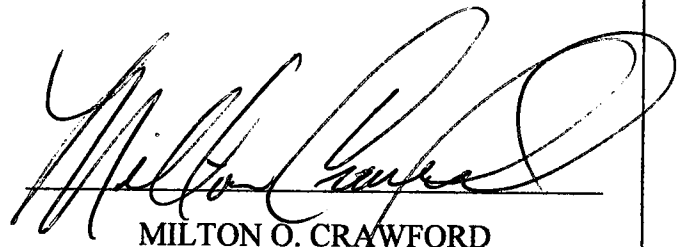
The Kroger Company failed to serve its Responsive Plea and or its Motion Rule 12 on the Plaintiff and the Court within the time required by said summons and provided by the Fed. R. Cv. P., [Rule 12(a) (1) (A) (i) within 21 days after being served with the Summons and Amend Complaint]

No waiver of service was filed by the Kroger Company, No extension of time granted by the Court, The Kroger Company is neither incompetent, nor minors, or of the Military Services, Twenty-five days after deadline date of August 27, 2012, the Deputy Clerk of the Court (Erin Smith) entered its default against The Kroger Company on Friday September 21, 2012, due to the Kroger Company failure to plead or otherwise defend in said action as required by said Summons and provided by the Federal Rules of Civil Procedures; Exhibit [C] Deputy Clerk: Erin Smith; Entry of default document

Upon the entry of default, the Kroger Company has no further standing to defend on the merits or to contest the Plaintiff's right to recover, no Affirmative Defenses May Be Asserted

I, Milton O. Crawford demand relief in the sum of \$10,300,000.00 a sum certain or can be made certain by computation it is the law, and for such other and further relief as the court deems just

Dated the 27th day of August 2020,



MILTON O. CRAWFORD

P.O. Box 9263, Pahrump, Nevada 89060

(775) 537-3949

Exhibit (A)

Fax Cover Sheet with a Fax heading of;

“09/18/2012, 15:24, 51368463970, USMS, CIN, PAGE 01/02”

Pages 1

**UNITED STATES MARSHALS SERVICE**

Southern District of Ohio

Cincinnati, Ohio

100 East 5th Street, Room 130

Cincinnati, OH 45202

OFFICE TELEPHONE: (513) 684-3594

FAX (ADMINISTRATIVE): ( )

FAX (OPERATIONS): (513) 684-6397

FAX (WARRANTS): ( )

TO: Milton CrawfordFROM: Kim / United States MarshalsDATE: 9/18/12PAGES: 1 (EXCLUDING COVER PAGE)**COMMENTS:**

Attached is a copy of the 285 showing  
Service executed to The Kroger Company on  
8/6/12.

Thank you  
Kim

~~EXHIBIT B~~

Exhibit [B]

Faxed USM-285with Fax heading of;

“09/18/2012, 15:24, 51368463970, USMS, CIN, PAGE 02/02”

Number of Pages 1

U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**  
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <b>MILTON O. CRAWFORD</b>	COURT CASE NUMBER <b>2:12-CV-0122 GMN-GLW</b>
DEFENDANT <b>THE KROGER COMPANY ET AL</b>	TYPE OF PROCESS <b>Summons And Complaint</b>
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <b>THE KROGER CO. ET AL</b>	
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <b>1014 VINE STREET CINCINNATI, OHIO 45202-1100</b>	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

**MILTON CRAWFORD**  
**1780 N. JILL AVE.**  
**PAHRUMP, NV 89060**

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney, Officer, Originator requesting service on behalf of:

☒ PLAINTIFF

☐ DEFENDANT

TELEPHONE NUMBER

DATE

**(775) 757-5350**

**5/21/12**

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)

Total Process

**1**

District of Origin

**CLB**

District to Serve

**0601**

Signature of Authorized USMS Deputy or Clerk

**BANANA**

Date

**5-22-12**

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date

**8/6/12**

Time

☐ am  
☐ pm

Signature of U.S. Marshal or Deputy

**[Signature]**

Service Fee	Total Mileage Charges (including endangers)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* (Amount of Refund*)
					<b>\$0.00</b>

REMARKS:

**PRINT & CODES:**

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285  
Rev. 12/15/80  
Automated 01/00

**EXHIBIT A**

**Exhibit [C]**

**Entry of Default Document**

**By: The Court Deputy Clerk Erin Smith**

**Number of Pages 1**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Milton O Crawford,

vs. Plaintiff(s),

Case # 2:12-cv-00122-GMN-GWF

Smith's Food and Drug Store, Inc., et al.,

Defendant(s).

**DEFAULT**

It appearing from the records in the above-entitled action that Summons issued on  
the Amended Complaint May 10, 2012  
(Original, Amended, etc) (Date Complaint was filed)

has been regularly served upon each of the Defendants hereinafter named; and it  
appearing from the affidavit of counsel or Plaintiff and the records herein that each of  
said Defendants has failed to plead or otherwise defend in said action as required by said  
Summons and provided by the Federal Rules of Civil Procedure.

Now, therefore, on request of counsel for Plaintiff, the DEFAULT, as aforesaid, of  
each of the following Defendants Kroger Company

in the above-entitled action is hereby entered.

DATED: September 21, 2012

LANCE S. WILSON, CLERK



By: /s/ Erin Smith

Deputy Clerk